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MEMO ENDORSED

June 6, 2024

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VIA ECF FILING & FAX

Hon. Nelson S. Román
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150
Fax: (914) 390-4179

**Re: *Dynamic Systems, Inc. v. Skanska USA Building Inc., et al.,*
Civil Action No. 7:19-cv-10237-NSR-AEK**

Dear Judge Román:

We represent Third-Party Defendant / Fourth-Party Plaintiff Westchester County Health Care Corporation in connection with the lawsuit referenced above. We write to inform the Court that except for two fifth-party defendants (Bard, Rao & Athanas Consulting Engineers P.C. and Mazzetti, Inc.), the parties have reached an agreement in principle to fully settle their claims in this action. The parties are currently working on the language of the formal agreement, but wanted to ensure that Your Honor is aware of our progress in light of the pending motions for summary judgment.

We thank the Court for its time and attention to this matter.

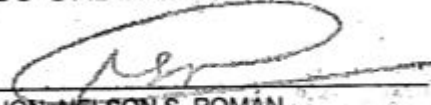
Respectfully submitted,


Gary L. Rubin

In light of the Third-Party Defendant/Fourth-Party Plaintiff Westchester County Health Care Corporation's representation that the parties (except for Bard, Rao & Athanas Consulting Engineers P.C. and Mazetti Inc.) have reached a settlement agreement in principle, the Court withdraws Third-Party Defendant / Fourth-Party Plaintiff Westchester County Health Corporation's Cross-Motion for Partial Summary Judgment (ECF No. 323) and Fourth-Party Defendant/Fifth-Party Plaintiff Perkin Eastman Architects, D.P.C.'s Motion for Partial Summary Judgment (ECF No. 337) without prejudice to renew. The Clerk of Court is directed to terminate the motions at ECF Nos. 323 and 337.

**Dated: June 13, 2024
White Plains, NY**

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE



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CC (By E-Filing Only):

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